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May 22, 2008

VIA ELECTRONIC FILING

The Honorable Joseph J. Farnan, Jr.
United States District Court
844 North King Street
Wilmington, DE 19801

Re: ICU Medical, Inc. v. Rymed Technologies, Inc.
C.A. No. 07-468-JJF

Dear Judge Farnan:

We represent Plaintiff, ICU Medical, Inc., in the above-referenced action. ICU first approached RyMed regarding a schedule in this case on January 10, 2008. After many months of discussion, including exchanging several versions of a proposed scheduling order, RyMed ultimately refused to submit a joint proposed schedule in light of its pending request for reargument on its motion to transfer. On April 18th this Court denied RyMed's request for reargument. Thereafter, ICU promptly requested RyMed's cooperation in finalizing a case schedule. Again, RyMed refused, claiming that it still could not complete the schedule because it does not know whether certain non-patent claims will be transferred from the Central District of California (even though the California court has already agreed that the patent aspects of the California case will proceed in Delaware). Regardless of the outcome with respect to the non-patent claims, the parties already know that claims for patent infringement will proceed in Delaware. There is no reason why a schedule cannot be put in place now, in this case that has been pending for 10 months.

Accordingly, ICU has filed herewith a proposed schedule which follows this Court's form scheduling order and respectfully requests that a scheduling conference, either in person or by telephone, be set at the Court's convenience.

Respectfully,

/s/ Richard L. Horwitz

Richard L. Horwitz

RLH/mbs
865754 / 32116

Enclosure

cc: Clerk of the Court (via hand delivery)
Counsel of Record (via electronic mail)